

AMENDMENTS TO THE DRAWINGS

Appended hereto as an attachment is a replacement formal drawing sheet to replace sheet 3 of the drawings that were originally included in the application. The replacement sheet shows the bracket in dashed lines, it identifies by reference numerals the apertures that are involved in the interconnection of the end cap with the bracket, and it also identifies the gap recited in claim 7.

Also appended hereto is a copy of the originally-filed drawing sheet 3 showing in red the drawing changes that are reflected in the attached replacement drawing sheet.

Approval of the drawing changes shown and acceptance of the enclosed replacement drawing sheet incorporating those changes is respectfully requested.

REMARKS

In this Amendment specification paragraphs [0021], [0023], and [0024] are amended for clarification purposes. Sheet 3 of the drawings, containing Figure 9, has been amended to identify the bracket 62, the gap 68, apertures 38 and 40 of end cap 56, and respective associated apertures 66 and 64 in bracket 62. The showing of the bracket is based upon the originally-filed specification, paragraphs 0021 and 0024, which each disclose a bracket, its position in the gutter and its connection with end cap 10 by connecting screws that pass through apertures 38, 40 of end cap 10 and into apertures 66, 64 in bracket 62. No new matter has been added to the specification because the amendatory matter is based upon the application as originally filed, including the specification, claims, and drawings.

In addition to the specification amendments, claims 1, 3, 11, and 14 have been amended, and claims 2 and 10 have been canceled without prejudice or disclaimer. Independent claims 1 and 14 contain additional recitations that serve to clarify the invention as claimed. Claim 3 has been amended to change its dependency from former claim 2 to amended claim 1. And claim 11 has been placed in independent form because it recites the alternative connection arrangement that connects end cap 10 with bracket 62, and does so without apertures in end cap 10 but instead with the engagement elements shown in Figure 8 and described in paragraph 0023 of the specification.

The drawings were objected to on the ground they did not show several of the elements recited in the claims. In that regard, the support bracket is shown in amended Figure 9. The first connection means is shown in the drawings as walls 22 and 32, 24 and 34, and 26 and 36, the outer and inner peripheral walls, which also define therebetween a connection slot, as described in paragraph 0020. The gap is shown in amended Figure 9 and is identified in amended paragraph 0024, in which the amendatory matter constituting the last sentence of the paragraph is based upon claim 7 as originally filed. The first gutter-trough closure region is shown in Figure 9 as region 54 and the second closure region as region 56. It is believed that one having only ordinary skill in the art would be able to comprehend the nature, function, and structure of the invention from the drawings and the verbal description contained in the application.

The specification was objected to as not providing antecedent basis for the claimed subject matter. As to the first and second connection means, the amended claims more clearly recite those features, which are described in the specification at paragraphs 0020 and 0021 and are shown in Figures 2 and 3. Their association with the support bracket is now clearly shown in amended Figure 9.

Claims 1 through 5 and 7 through 10 were rejected as anticipated by the Carreiro '988 reference. In that regard, claim 1 as hereinabove amended refers to a gutter cover as influencing the shape of the end cap. No such cover is shown in or suggested by that reference. And that reference

also does not show or suggest the claimed at least one aperture extending through an end panel for receiving a connecting member for connecting the end cap with a support bracket carried within a gutter trough. Accordingly, claim 1 as amended is not anticipated by the Carreiro reference.

Claims 3 through 5 and 7 through 10 each depend from claim 1, either directly or indirectly, and therefore those claims are also not anticipated by the Carreiro reference, and for the same reasons as are given above in connection with claim 1.

Claims 1 and 11 through 13 were rejected as anticipated by the Allen '097 reference. However, as was the case with the Carreiro reference, the Allen reference also does not show or suggest the claimed at least one aperture extending through an end panel for receiving a connecting member for connecting the end cap with a support bracket carried within a gutter trough, as recited in amended claim 1. Additionally, with respect to claims 11 through 13, the Allen reference does not show or suggest a support bracket, nor does it show or suggest a connection means that includes a projection extending outwardly from the end panel inner surface for contacting a support bracket. Thus, the Allen reference does not anticipate the invention as claimed in claims 11 through 13.

Claim 14 was rejected as anticipated by the Schweinberg et al. '283 reference. That reference was cited for showing a gutter trough closure region 54 and an above-trough closure region 24. However, Schweinberg et al.'s element 24 is not an above-trough closure region but is instead a grate

frame (see Schweinberg et al., col. 5, line 19), which as shown in Schweinberg et al.'s Figure 2 is an open component that cannot function as a closure. Even if grate 22 were installed, as also shown in that figure, that assembly would not function as a closure because the grate includes numerous openings. Accordingly, the Schweinberg et al. reference does not anticipate the invention as claimed in claim 14.

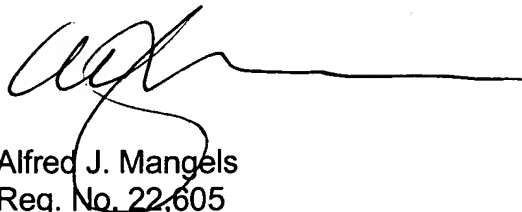
Claim 6 was rejected as obvious base upon the Carreiro reference. However, claim 6 also depends from amended claim 1, which has already been distinguished over the disclosure contained in that reference. Therefore claim 6 is not obvious from the Carreiro reference.

Based upon the foregoing amendments and remarks, the specification, drawings, and claims as they now stand in the application are believed clearly to be in allowable form. The claims patentably distinguish over the disclosures contained in the references that were cited and relied upon by the examiner, whether those references be considered alone or in combination, and whether they be considered in the context of 35 U.S.C. § 102 or of 35 U.S.C. § 103. Consequently, this application is believed now to be in condition for allowance. Accordingly, reconsideration and reexamination of the application is respectfully requested with a view toward the issuance of an early Notice of Allowance.

The examiner is cordially invited to telephone the undersigned attorney if this amendment raises any questions, so that any such question can

be quickly resolved in order that the present application can proceed toward allowance.

Respectfully submitted,

A handwritten signature in dark ink, appearing to be 'Alfred J. Mangels', with a long horizontal line extending to the right.

August 6, 2005

Alfred J. Mangels
Reg. No. 22,605
4729 Cornell Road
Cincinnati, Ohio 45241
Tel.: (513) 469-0470



3/3

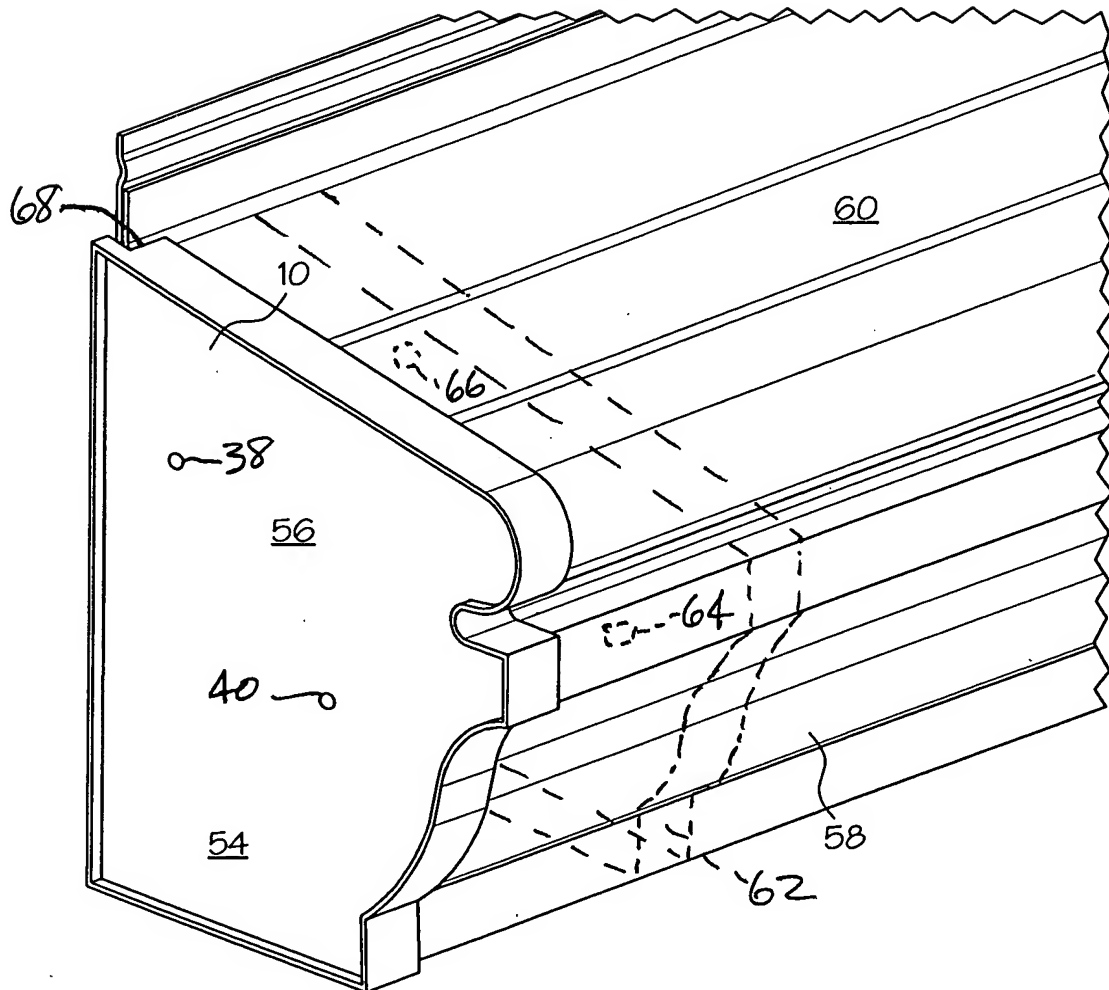


FIG. 9